

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION**

STATE OF FLORIDA,

Plaintiff,

v.

MIGUEL CARDONA, in his official capacity as Secretary of Education, *et al.*,

Defendants.

No. 0:23-cv-61188

ERRATA

Defendants file this errata to correct two non-substantive errors in the Declaration of Christopher Miller, ECF No. 11-1, filed last Friday, September 15, 2023, as an attachment to Defendants' Motion to Dismiss Plaintiff's Complaint, ECF No. 11. Specifically, that declaration addresses the number of Florida public postsecondary institutions that have sought approval from the U.S. Department of Education to change accrediting agencies, and indicates seven schools have sought such approval.

Since Defendants' filing, Mr. Miller has realized that his office inadvertently omitted one such school—Hillsborough Community College. Accordingly, the Corrected Miller Declaration, attached hereto, changes ¶ 3 to reflect that eight (not seven) schools have sought approval and adds Hillsborough to the listing of institutions that have sought approval, and likewise includes Hillsborough in ¶ 6 to reflect that its application for approval to change accreditors remains under internal review by the Department of Education.

Because this declaration was twice mentioned in Defendants' Memorandum in Support of their Motion to Dismiss, in the interest of accuracy, Defendants also have corrected pages one and

twenty-seven of their Memorandum to reflect the correct numbers. Specifically, page one now says “Six Florida public universities are in the process of pursuing new accreditation, as required by state law . . .,” where the previous Memorandum stated “Five Florida public universities” And on page 27, the corrected Memorandum now says “Only eight (out of *eight-nine*) Florida public schools have even sought approval . . . ,” where the previous Memorandum stated “Only five” (In the previous memorandum, undersigned counsel made a small error by referring to the number of universities that, according to the original Miller Declaration, currently were in the process of seeking approval to change accreditors, when it should instead have referred to the overall number of universities that had applied to change accreditors, *i.e.*, including the two that already have received approval for the change.) The corrected Memorandum also is attached hereto.

No other changes have been made either to the Declaration or to Defendants’ Memorandum. Defendants apologize for these inadvertent errors and any inconvenience they may cause the Court or Plaintiff.

Dated: September 21, 2023

Respectfully submitted,

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